

Town of Milton
Planning and Zoning Meeting Minutes
April 18, 2006

Members Present:

Linda Rogers	Ginny Weeks	Richard Greig	Dean Sherman
Carol Bruce	Gene Steele	Michael Filicko	

Others Present:

Stephanie Coulbourne Bob Kerr

Linda Rogers: We have to appoint a chair. Stephanie, will you run the meeting until that is done?

Stephanie Coulbourne: I will. Does anyone have a motion for a chair for the planning and zoning commission for 2006?

Ginny Weeks: I would like to nominate Linda Rogers.

Dean Sherman: Second.

Stephanie Coulbourne: Any questions? All those in favor, says "Aye", opposed none. Mrs. Rogers, it is your floor.

Stephanie Coulbourne: We haven't had a co-chair in the past but we can if the commission so chooses to have a co-chair. Is anyone opposed to having a co-chair?

Dr. Greig: I think the ordinance says you appoint a secretary not a co-chair. In the ordinance, what it says is that this position is a secretary. We elect a chair and a secretary, it doesn't mention a vice chair or co-chair, it's very specific. Until the ordinance is changed by the town council, we can't just make it up.

Stephanie Coulbourne: Maybe we should define what the secretary's role should be.

Dr. Greig: The ordinance doesn't define what the role should be. It should be the role that Stephanie is now.

Linda Rogers: Let's wait until we have a determination of what that means. Is that ok with council. Yes.

1. For the first item on the agenda is the unfinished business of the annexation of Dr. James C. White and Nancy L. White and Chestnut Properties L.L.C. identified by the Sussex County Tax Map Parcel number 2-35-14-132, 2-35-14-132.01, 2-35-14-143.03 to review and approve the annexation agreement, restrictive convenience, zoning map and concept plan along with the recommendation letter to the town council.

Linda Rogers: Are there any questions or problems?

Ginny Weeks: I do intend to abstain from the vote because I haven't been here for all of this, but there are one or two comments I would like to make. It says on page two of the agreement that the petitioner should pay the town the current sewer and water tax fees. Since he is not going to be requesting building permits until the sewer is on line almost, I don't know if we should tie him down to \$8,000 and \$1,450.00 but rather put it in there that the fees at the time that the building permits are pulled.

Linda Rogers: That's probably a legal question, because if they are taking this on now at \$8,000, let's just say that council decides to make it \$12,000, the applicant has fulfilled his obligations, I would have these concerns if I were an applicant that I would be able to be assessed at possibly doubled at the time that I initiate the project.

Ginny Weeks: The other thing is on page three, that he agrees to the proposed street lights within the property shall be a separate contract between the petitioner and

Connective Power Company. We have a problem with Wagamon's West that there are no street lights and at Cannery Village, I would like to see us state that the street lights have to be active before the building permits are given to avoid the problem. There is no recourse to force Wagamon's west to put them in until all the houses are built. I just thought that if we're going to put this in that the street lights should be active at a certain point in the development

Dean Sherman: I make a motion that we approve the letter prepared by Mr. Willard and forward it to mayor and council for their consideration. We have a motion, do we have a second?

Dr. Greig: Second. All in favor of forwarding the letter to the council with the recommendation of annexation say "Aye" – aye, opposed, none, two abstain, Ginny Weeks and Gene Steele, because they weren't here for the beginning of the process. Motion passed.

2. The next item on the agenda is the application of Mary Beth and James Parker requesting a site plan review to place three mini storage buildings along route 22, Morris Avenue, further identified by Sussex County Tax Map parcel number 2-35-14-57-58 and 60 currently zoned C1.

Linda Rogers: Is there anyone present in behalf of this application? Please state your name for the record.

Jim Parker: I am here on behalf of myself and my wife – I'm here asking for planning and zoning to consider allow three mini storage buildings on the back part of the existing lot that I have. I have seen a need in the town that we need additional mini storages because right now, there is none in town, and the property was vacant and I thought that this would be a good use for the town and at the same time not impact it dramatically with water and sewer and those types of things. The second need with this on the property is that presently we own the car wash and with the car wash and being able to build these building, we will be able to have a full time person there, which will allow us to be able to service the car wash customers better and also at the same time, make it more feasible, being able to have the two businesses on the one site. I do have a colored rendering here and it shows you exactly what the buildings are going to look like, the type of fencing I'd like to use across the property, as well as the layout of storm water. I have been to the fire marshal and the fire marshal has approved the site plan. I have been to Deldot, waiting for their comments back, we're hopefully using the existing entrances on the property so it won't create any more entrances. That is one of the positive things by adding the lot to the existing property.

Carol Bruce: Would you, Mr. Parker, go over the layout? I pretty much know what you are talking about, but just so there is no misunderstanding.

Jim Parker: Presently, at the corner of Morris Avenue extended and Route 16, there is an existing restaurant, behind that is the existing car wash. To the rear of that property, there is probably a little over $\frac{3}{4}$ acre. There is an existing storm water pond and what we are proposing is that the pond would be added on to obviously to take care of all the storm water management. To the rear of that, we would like to add three buildings. Those buildings would all be of matching color to the car wash using the sterling grey and the blue roofs and with these buildings, the one building would be climate controlled. That is something that we have found in the area that is of dire need and that building would be that. This is an exterior view, showing that the roofs will be pitched; there is no flat roofs so they will be very nice looking and very attractive to the area. The other thing that we've done is that along the front of the Morris Avenue extended, we are

showing block pillars and we are going to use black iron fencing there. Then we are going to landscape the entire front on Morris Avenue so it has a very nice, clean look. Carol Bruce: In the area that has been used as kind of overflow parking by the restaurant, would that remain.

Jim Parker: Yes, we still have about seven or eight additional parking places here along with this gravel area that is noted.

Ginny Weeks: Are those going to be parking spots?

Jim Parker: When it comes to mini storage, you really don't need a lot of parking. Typically, what happens is a person would normally, once they rent, they may come in once every three months on the average.

Ginny Weeks: I believe the building code requires more, does it not?

Bob Kerr: The zoning code doesn't have a specific mini storage, but if you consider it warehousing, yes, there would be 30 + parking spaces required under that portion of the code.

Ginny Weeks: There are no parking spaces dedicated to mini storage?

Jim Parker: No, no dedicated, what we do have is seven here in the existing rear that we are using as parking. Again, normally with the type of the storage that we are talking about, climate controlled, small storage units, it's normally where a person comes in, stores their stuff and doesn't come back but periodically to check their stuff.

Ginny Weeks: What kind of fencing is going to be between yourself and the apartments?

Jim Parker: Presently, we have a stockade fencing on that property line and it's white, I'm talking about to the side and the rear of the car wash, there's a six foot high fencing. The plan is noted to extend the white vinyl fencing across the entire rear and also across this side. This is six foot vinyl fencing here. Then out front we are going to do the pillars with the black wrought iron fencing.

Gene Steele: There is no office space there? It will be run out of the car wash.

Jim Parker: Yes.

Gene Steele: You also say there is no plumbing involved. There will be fire extinguishers in the building?

Jim Parker: Yes, there will be fire extinguishers in the buildings, no sprinklers, they are not required.

Linda Rogers: Bob, do you have any comments? A few, I gave you a memo on it. The code does require 31 spaces, but that does seem high and we do have the ability to consider that in your recommendation. One concern when this was talked about once before, or possibly we were doing the code rewrite, was that some place like this would have a lot of storage outside for motor homes or things like that. You might want to consider that as a condition as to whether you want that or don't want that. I was worried about the distance between the buildings. But if the fire marshal has looked at it and is satisfied that's really my concern, that they were awful close from a fire protection standpoint trying to get a truck in between with it being on fire would not be where I would want to be sitting. I wasn't sure where the vinyl fence was proposed. It's called out along the north property line adjacent to the Willis property. I wasn't sure whether it was on the east property side or whether it came around the storm water pond or exactly what the extent of the vinyl fence would be. That needs to be clarified before you make your recommendation. I question whether building no. three would be accessible on both sides or only from inside the fence, but there is also showing a little gap in the fence line and then whether the whole site will be paved or graveled or what the condition of the surface is going to be. There is no proposed signage shown or no existing signage shown, so whether that needs to be something you are considering, then we have the constant comment involved about curb and sidewalk along any existing road right of way whenever there is new construction. According to the town ordinance, there should be a

curb and sidewalk along Morris Avenue from the entrance down to the property line. There is no lighting shown. My concern would be that some type of lighting needs to be used, it shows a lot on the adjoining properties and we want to make sure that the lighting is limited to lighting this site only. Landscaping was mentioned, but there was nothing shown and therefore nothing required by this site plan as far as landscaping.

Jim Parker: May I address some of the issues that he has brought up? In talking about the fire marshal, he was correct in the sense that I do have the approval from the fire marshal. One type of thing about this type of construction is its all steel and, obviously, with steel the combustion able rate is a lot less that with a wood construction. The second thing is as I mentioned, the fencing will run on the east property line, as well as the rear property line. I do show landscaping on here as you have probably seen at the car wash, we keep it very clean and we do have a lot of landscaping around there. My intent is to continue to keep that part of the property as nice and bring in landscaping in. We will be asphaltting around all the buildings, and that way it's a nice clean look and that is the idea of extending the storm water pond to take care of the runoff. Again, with the fencing, we do have it so that the fencing will come in and come behind the buildings, the idea of a mini storage is that it will be totally locked in and the only way a tenant can get into it is with an automatic gate system and that is done with a pass code that they enter in. That becomes their pass code to get in and out to see their stuff. It's not a situation where it is open all night long and not under security in the sense that not everybody can get in there without a pass code. As far as the parking, I don't have it with me tonight, but I know statistically parking for mini storages, we are not talking about warehouses, is by far, again a situation that once it's rented up, you very often have turn a rounds, typically the units normally rent for a year at a time. You are looking at a situation where there's not going to be an overflow of people there at one time. He was right about the access on building three, which will be accessed only from this side, which is enclosed beyond the fence line. There won't be any outside storage for boats, etc.

Michael Filicko: To the rear of the building, would it be possible to put some sort of landscaping in there as well?

Jim Parker: This is going to be a privacy fence, six foot high and so that way it gives the neighbors the privacy of not having to see anything going on there. I've met with him, talked with him, showed him exactly what I was looking to do, he was very happy about that because he wanted to see the old house gone and all the trash picked up. There's a hedgerow there now that is probably 10 foot high. The fence on the east side will also be a six-foot high privacy fence. Everything will be totally inside as far as the security.

Ginny Weeks: I have a question for the city engineer. We don't have mini storage in our zoning code; I am very concerned that sprinklers are not required. Is there a county or a state code on mini storage?

Bob Kerr: The Fire Marshal has jurisdiction over the sprinkler systems.

Gene Steele: What about the lighting issue?

Jim Parker: There will be a parking lot light that will shine back into the project, and additional lighting around the entire perimeter of the building to give ample light at night for security purposes. The lights are similar to the Milton House with adjustable heads for security. Each building has a light that goes all the way around and these are down lights which gives you path lighting around the building.

Dean Sherman: What are you doing for signage?

Jim Parker: What I had planned on doing was as you enter the rear parking lot right now there is a sign there that say additional parking for restaurant customers. I'm going to put a sign that would say finish line mini storage, and then out front we already have an existing sign I'm going to take part of that and reduce the advertising and put a small spot in the billboard sign.

Dr. Greig: Mr. Kerr brought up a point about the curb and sidewalk, have we settled that?
Bob Kerr: There's curb but not sidewalk along the restaurant on Morris Ave. there is a stone or gravel area between the curb and restaurant problem three to five feet in width. The building and property line aren't parallel and there's some landscaping in there that might be a small air conditioning compressor in that area.

Linda Rogers: Does anyone from the public like to make a comment? Council members have any other comment or would like to make a recommendation?

Ginny Weeks: I had one main concern there is no zoning for mini storage in our building ordinance so can we include this? We have it for warehousing so we can just give it the same type of thing. But yet we aren't requiring him to warehouse the parking or. We can give him of variance to that it is within the regulation that we can do that. I would feel much more comfortable if we can do a variance and that and keep it the way it should be. Would anyone like to entertain a motion with those conditions?

Dean Sherman: I don't have a problem with the parking but yet I think you're right, I think people go and park in front of their units. You could provide as much parking as you want but the end of the day they are going to park in front of where they are going to install the doors so I don't think parking is an issue.

""The sign issue if fine, there is a separate sign ordinance just make sure you're in the guidelines there. Light and landscaping you've got that done, I understand what you're saying about the curb and sidewalk but I think when it comes to mayor and council that might be a tough sale because there are places all over town that as they are extended as they are upgrade and remodel they are require to put that sidewalk in. Wyoming Mill Works is a perfect example, it's got a great sidewalk that starts no where and goes no where but someday or kids will know why we made them do that. So I think we would have a tough time explaining to council why we waived it on the front part, we probably need to try and create some sidewalk there. The town ordinance is for curb and sidewalk both. And it really isn't a planning and zoning issue it's in the town ordinances that any new construction is supposed to be provided.

""We have that in the form of a motion is there a second?

""Second. Chair woman, is this a preliminary approval or a final approval? Does it need to come back? Do you have Sussex Conservation district approval for this?

""No but I have an engineering firm working on that, so then this should be a preliminary.

""Ok then this is a preliminary, come back when you have those things incase something has to change. And to really show some of the things we have talked about this evening on the plans so that there is a final plan to be submitted and kept in the town hall. Right, the sidewalk the signs the entire little cruet's would be showing. We can't force the issue. We require landscaping plans. Ok when you get those approvals can you give me copies of them as well.

""Yes.

"" We have a motion and second on the floor to approve this as a preliminary, all in favor. I. Opposed? Ok, you have preliminary approval. Thank you.

3. Big Link LLC is requesting a site plan for office retail space at 113 Union Street. Further identified by Sussex County Map Parcel 2-35-14-184 located within Milton Town Center.

""Is anyone present on behalf of this application?

Richard Reno: The property is across the river at the old Milton sausage building. I would like to replace the garage doors with storefronts. The building is six thousand square feet

and it would be divided up into six units. The prints have been approved by the Fire Marshall.

“”You have also been before the Board of Adjustments correct?

“”Yes the historic folks told me they like what they saw.

“” I would especially like to hear what your plan or your idea for the apron that’s current there that about four of five parking spaces?

Richard Reno: I was going to continue to use that as parking. I think this is going to be a really attractive addition for the downtown.

“”I believe the historic preservation board said that they would also like to see those spaces not be used for parking. Is it possible to use that space for deliveries? It could be used for deliveries; however it’s a safety issue when you have large trucks pulling in and out. Of course the length of stay for those vehicles will depend on the businesses that are in there. I would love to see some benches in there with potted plants to change the look. I just think we have a chance to upgrade the whole look of Main Street. You would pick up three parking spaces on the street and lose five on this slab. But you are also changing the location, there’s not going to be a trash dumpster in the front right.

Richard Reno: No, what my plans were to put a storage area right against that brick wall.

“”Closed in?

Richard Reno: Yes, I would have fence around that and the tents would have the rolling cart type of trash containers behind that enclosure.

“”Are these going to be painted?

Richard Reno: Yes. As far as curb detail and lighting you’ve got everything but I don’t see equipment for the heating. My intent is to do a roof top unit.

“”Will the historic district be able to see that? Could you see it from the park?

Richard Reno: If they’re not visible from the street they will not be able to see that.

The park isn’t part of that historic commercial. Bob do you have any comments?

Bob Blaney: No. There is an ordinance that requires certain information to be in the site plan which isn’t here, because the building isn’t being changed. I don’t know how much of that is really critical but its stuff about how much area, the area of the lot is the building and that type of thing in general that’s on the plane the zoning is in town center that’s not really enough information to find out how many parking places is need not knowing if its going to be retail, restaurant, or office. It could be as many as 33 or as few as 15. The building ordinance states for the town center, you have the right to waive the parking. This is in the flood plans although it’s not on any of the documents. I’m not that familiar with the flood plan ordinance but I know there are things the library had to do specifically. I don’t know how it relates to an existing building other than there are things in there that when you are renovating a building you have to follow, and it might be just stops that have to be dropped in to keep the flood coming through the doors. I think you can go back and find photos that there have been two or three feet of water in that area during some flooding.

“”So we talked about deliveries to the building, and location of the trash. As everybody is aware we have a problem with building capacity in town. Not knowing exactly what going in the building how many new things are needed and how many are available from the old building I could tell from what provided, certainly two of the unit will be high user of water that will be all different retail establishments, and then the areas we have already talked about in front, the parking weather that could be used as a landscape area with no parking and replace the curb out front and just use parking on the street. And I think having a little patio arranged with a couple of benches would draw people to those new businesses.

“”May I comment on a couple of those, the tenets that I’ve spoken with those business were only nine to five type business so parking will be during those hours that would the

impact of the parking. As far as the EDU, I don't know did you have a chance to check on that because I didn't.

"" No he has more EDU's for the business that was there prior because of the amount of water that was used cleaning the floor. But we have talked about, I don't have the plan in front of me, well I do but we already have the bathroom there are already existing only one was going to be ADA approved. Because he did have his tenets and didn't know what going there if you're putting mortgage place in there or a realtor you're not going to have that EDU issue. So we would have to check on the EDU that the plant had. And they may well be in compliance with what's going in there. How many businesses did you say? Six. What type of businesses are you looking at?

"" I have a realtor inquire; I have a photo guy inquire, a candy boutique, a retail type of situation. I don't know I have a list. It would wonderful if things that could go in there during foot traffic to down town. My dream would be a bakery or something with tables out front. That would be a great place for the city hall. That might be a hard fill. At this time these buildings would share the facility here at the restaurant. Unit number one has its own bathroom. I was interested in the fact that there is a corridor to the back only one business per unit these will not be sharing. One accesses per unit. I submitted that to the fire marshal and that has been approved.

"" Can you give me a copy of that approval?

Richard Reno: Sure. On the front of the building above each of the sore fronts the business sign will be there and then with a common entrance for the unit in the back and I was going to indirect lighting over top.

"" The historic commission did bring up that issue with him and they suggested for them to be in that area and the suggested that he use that lighting above the signs and also wasn't it light as well Richard this you have that one lamp right by the door.

Richard Reno: Yes right by the one door. They also suggest putting three more in between each door. Well I suggested the overhead lighting like down at the shopping center out on the road. (Tape Ended and no further information on this)

4. Next Item on the agenda South west Corner mulberry Street Shipbuilders Blvd further identified by Sussex County Map Parcel 2-35-14-288.

"" Is anyone present in behave of this application?

"" Yes. As you just stated we are requesting final approval for the Orchards Project. We have received approval from all agencies as required. I guess we'll start with Bob since you have quite a list.

"" The construction drawings have been reviewed and been accepted I have asked Stephanie to have the copies of those final one. I have them with me incase you don't. And the only thing I'm not aware of were it stands is the sewer construction permit. That I don't know off hand I know we submitted to office of public health. To tell you the truth I do not know that. The only approval that we have through Sewer construction permit is required. Is that with the Deldot utility permit?

"" Yes. I don't see in the final were anything has been submitted. The only approval that appears to be outstanding is the Sewer construction permit. Last month you approved another subdivision without that which you understand they added that choice. Which one was that bob?

"" Last month Heritage Creek didn't have their Sewer permit, it had been submitted but they were waiting to get it they said it would be sometime in June before they got it and you gave approval subject to getting that and it will be two or three months before construction on that will start. I don't know how quickly they want to start this but that permit is necessary before the construction begins. The construction of this is now planned until August or September. There is some coordination that needs to be done

with DelDot because we are allowed to be connected to the DelDot storm system currently being installed. Now we're going to try to get that coordinated so the road aren't getting torn up right after it's built. We want to get that done at this point, or as soon as DelDot will let us. This thing is just an administrative thing because this goes on town sewer does this one have EDU's available.

"" Yes they have.

"" So you're looking at fourteen.

"" Yes. I may be corrected on that. There's too many of them running around in my head. We need to verify the EDU are available. The reason is this is the final. The other ones have been preliminary. I'm sorry I didn't check that. So would we be able to get approval contingent upon finding the EDU's are available, and the sewer approval? If someone is willing to make that motion and I'm willing to make that motion

"" Ok we have a motion is there a second?

"" I second that. Just to add a little more if you could admin it to say that that no building permits would be issued if the EDU aren't available. Ok we have a motion. And a second with the amendment that no building permits would be issued if the EDU aren't available all in favor of approving this as a final. Aye. Approved as a final. Any other questions.

5. Next Item on the agenda the application of Terrific Toys. Requesting an addition of a 50 by 60 by 16 foot structure for storage to be located behind the correct structure located at 401 Broadkill further identified by Sussex County Map Parcel 2-35-14-15-75 zone C1.

Is anyone present in behave of this application?

Scott Aeirs: (Lewis Field Services) I have a survey plan which I received today to give you an idea of what the property boundaries and lines are on this. Basically this is the original building and which is here. And it will be attached to the back side of the building there. Now the shed that's there will it be removed? There are removable sheds. The can be moved anywhere he has already removed them from the located back by the fence they can be moved any where they need to be moved.

"" Where is the entrance?

Scott :He has three fence gates two in the front and one on the side. Here at Sixteen. They are ten or twelve foot gates.

"" This is fenced completely around with chain link fence, is it not.

Scott: Yes.

"" And this will be what kind of structure?

"" A five inch concrete slab and a field structure.

"" It will be a metal building?

"" Yes. Pre-engineered. This property is for sale. It was. This signs are still up when I looked at it today. Not for Sale.

"" When we are doing something like this is the neighbor is notified of a building of this scale going in?

"" only through the advertisement of the agenda. It's a large property. He sell toys online and basically he has too much business in the building he has now so there will be a truck once a week backing up to the 14 by 14 door unloading and people will pack it and ship it out to different areas. He will employ six to eight from August till December. There is no stop there and shop. Its not a shop. There s nothing alive in the entire parcel. There's not a blade of grass there's not a tree? It's a beat up black top right now like it was the Tasty Freezer. It was for parking and his plans are to put a new black top parking lot in and to tie the two building in with one big long consists route. This shows a better picture of the building

"" Does anyone else have a question? Bob do you have any comments?

Bob: There wasn't a true place to show parking area and details of what is being provided and the number of parking spaces needed was difficult to determine no knowing it was going to be a warehouse. If it was retail it would be 26 spaces. If its just warehousing it would be as low as 15. The site plan we just got, shows some set back dimensions there weren't any on the originally drawings. One of the sheds is too close to the existing property line it should be 6 feet away it shows now its 3.4 feet but it is a movable shed. Corner lots require a 15 foot set back it now shows 36 feet on the Palmer Street side so that's more than what was there on the drawing originally presented. There's no signage shown, location or existing or proposed exits, entrances aren't shown. The curb and sidewalk requirement along Palmer Street and Route 16 lighting for the site has not be provide, landscaping hasn't been shown. There is a requirement when there a residential area and the area to the south of the property and to the south is zoned residential there is a grass strip there now if there was parking in the back the would be a requirement for a bumper but there is also discretion to ask for additional landscaping, the landscaping plan to be provided. Then what was submitted there was kind of different sight plans and floor plans on how the building was attached.

"" I wasn't really sure on how it was going to be attached. Not enough information has been provided to know whether a storm water permit is going to be required for soil conservation, and there wasn't enough information to tell what the EDU requirements would be for the building. That's all I have.

"" That's all? If you can write those things down I can take care of everyone of them.

""The memo I gave you covers those things. One just kind of over arching concern is that this is right as your coming into town if you going to the beach or coming to Milton and there's certainly not much in the way of enhancing the town that I see unless I'm missing something. Well the way he's got the lines we are going to build this thing, instead of that 10 feet breezeway which started out in the first of the project. We brought it up tight to the other existing building. The next step after wrecking this building is to tie a route in between the two and the way the metal roof sheeting with branching the buildings any way can you bring out so when people come around that corner and people are going to take notice to that building as soon as they come around that corner.

""So it will all be a flat roof?

""It's not going to be a flat roof. It's going to be that 312 pitch on the warehouse and a 212 or 112 probably a 212 on the other building.

""Where is the truck going to unload?

"" Its coming in from route 16 and its going to back right up into the side (Palmer Street).

""Ok so its not going to be at the front of the existing building?

"" No, to the warehouse.

""That setback at this point is almost 50 feet is there any reason you couldn't landscape 20 feet of that and soften that, I mean route 16 is going to be devolved we want to tie it in with what Delaware is trying to preserve the green space in the area and we don't want it to look like route 1 to be honest with you and that building is already Route 1. There's a patch of beat up grass in front of the tasty freeze it self and which their wife has suggest to put grass in there. I would rather see one or two dog woods, or something in the that's not expensive and 20 feet of landscaping, and our ordinance allows us, and requires us to look at that for visible setting and how things fit into the town and I would like to encourage this board to require some sort of soften, especially since it effects a residential area and the residents that are there today aren't going to be the residents that are there tomorrow or in 20 years from now, and it a chance to make something better and easier transition in to the residential area.

""You would like that mainly in front of the store?

“”In front because if you are going to pull the trailer around the side I don’t know if there will be any room there. But it’s got to be softened. Along Route 16.

“” Well route 16 is here, But yes its 50 feet on your drawing from your building to Route 16. Yes ok that’s what I’m saying, its faded out but there’s grass. But that directly in front of the building I’m talking about along the street.

“”I agree with her but I think you should be able to come up with something, let me give you a thought, Do you know where the VFW is? Drive down there and look at the work down there. One guy does all that he’s a member there his name is Frankie. Go in there and look for Frankie and he can help you design this in the front. And there are other people that can do that and it would be a big asset to you and I think we would all be happy to see that.

“” He has a double entrance gate in front of that building so you are suggesting that he close one of those gates. No I’m just saying he should go talk to Frankie and Frankie can come out and look at it to give you ideas. We want a landscape design, incase you want to know what we are asking for. Frankie is an amateur but he’s very good. He did the landscaping at Irish Eyes. He’s not someone that been doing a lot of stuff but what he does is very clean. Well I don’t really think we can encourage or promote someone that’s not what we can do. If he wants to bring us landscaping plans he has the opportunity to do what he wants. That’s what we are requiring. You have inherited a lot of things you weren’t counting on. I know you’re like a building Doc. But here the situation, I guess you need to take this back, for better or for worse you bought that building I believe if I’m not mistaking you put up a very short fence to control traffic out there but you probably done that completely legal but probley before a lot of these ordnances where put into effect. Weather he’s up for this or not, we had the same probably with the Remax office it was an existing building right on Route 16 that went through a major overhaul which is considered a major edition I will just prepare you. He is going to have to come forth with some additional expense that’s not going to be associated with additional square footage with this business. He is going to be required to put sidewalks in as per town order because I’m sure he wasn’t thinking about the. He did mention that he said he wasn’t sure. The other thing that Remax had an issue with and anyone will have a big issue with that does anything out on Route 16, he left a couple gate and have a couple imprompts to entrances but he probably will only be able to get one entrance from DelDot off route 16. They don’t want to give him and they may not give him one they may make him enter off Palmer Street. Remax did not get one. Right so I would be willing to say approve this but I would have to defer this to approve it even preliminary because there is some much missing information on this thing that in all fairness everyone else that’s applied in the last two years. Again perfect example Wyoming Mill Works down there. There already 16 they had a big building they put big addition on in another building, they had to go through DelDot get there interest squared away their storm water management their entrances all that stuff. And I know you may not have anticipated all this heavy duty site stuff but unfortunately that just what the specs are now. But what you have brought us here really don’t constitute us making a decision but it meets the standards and I don’t think we have a problem with the man staying in business we would like to encourage that any way we can but unfortunately when you mix a significantly amount of chance you are going to be faced with a bunch of stuff that probably doesn’t relate to the building its self. You might want to get professional help to help work through that. Certainly that little fence isn’t keeping out many intruders accept poodles I think original when he bought that there was real traffic problem. Every body would go there turn around and go back to the school. He certainly had to do something I’m sure that why he put that little fence up. Anyways I’m just sharing with you what I know. He’s a great guy but he many not have been counting on all this. I would say just

take this message back to him that we were ok with the concept but we are going to defer to approve his preliminary until we get more information and more drawing. I will work on every bit of that. I mean its going to take time unfortunately it on route 16 which is a good thing and a bad thing but we would need more, With an improvement like this we would need a hard cord interest and verify that he does have an entrance on route 16 or on Palmer or on both. He is also going to change signage. I'm putting my self in his shoes and he is wanting to set up a building somewhere close but in all fairness to all other applicants the issues is much bigger than that.

5. John Collins and Mary Collins. Requesting a site plane review to change the current residential area to retail flower shop located on at 307 Broadkill Road further identified by Sussex County Map Parcel 2-35-14-15-91 zone C1.

Is anyone present in behalf of this application?

John Collins: Yes, in about two weeks, currently my wife and I own and operate Admiral George 16 and Palmer. Our curb entrance is on 16 at this time we have to park five cars on a crush and run pad around the corner on Palmer Street. Our type of business is a good day if we fill that parking up but that's not the nature of the jewelry business. A car or tow I've been saying for the last four years since we moved our business from Ocean City. The house that we reside in which there are eight in there so we really fix. For one person it's a nice little business when I say a nice little business it would be nice to get some what low traffic quite and I can't think of anything better than jewelry and flowers. Ramen who is not present tonight wishes to lease from us. Moving his flower shop from downtown and putting it next to the jewelry store. I like that idea better than a jewelry store and a roofing business. Jewelry and flowers work. As far as parking. I think we would be able, for one, we have two more spaces out there than what was required for the retail floor space in or store and we factor in original it was the entire size of the room with 11 show cases in there customer don't go in vary far to see the show case we have plenty of room. We also have those five. I have in vision on how it would work just about everyday. I would be, they would pull in the front and it would share and for some reason if there are five cars there already well have a sign that say additional parking around the corner on Palmer we current put all our cars there. Its just crush and run it isn't paved and I can see a side walk going form the existing jeweler parking lot to the front door and I can see a path way going from that five space crush and run pad along the side also to the front we would go to the same entrance the flower shop entrance from either parking area. I know what he wants to do I don't see that he changed the footprint any if he did if he could get permission to I think everybody as far as my family and ramen we would like to do something with that front porch there it's a big concrete slab and I think his vision is to put a wonderful bay window area could be created there store front. He has a very nice place down here it's very beautiful look in his windows and I think he would like to do something like that. If you were to change anything on the quick print it would be to close in the front porch. I think that would be ideal I think it our make it high visibility, ect. Other than that I think both of our businesses are quiet in nature. Our customers are scheduled or hit or miss. When a customer comes its not like Wal-Mart. Jewelry companies are going for repair to pick up repair or stop in and leave. Sometimes, and we make it a point, that if one or our cars not already parked out front park one out there. But when we put the jewelry store there was a lot of debate weather to put side walks in or not. I know since we didn't increase the square footage of the jewelry store we didn't have to put in sidewalks. We are only; my bedroom window is exactly 15 feet from the street. With a sidewalk it would go right to Mrs. Frances front door. That's where it would line up. She's right there you come down her step, your there. Not to

mention you but a sidewalk there you're going to be right against the building. The town ordinance says that for new construction a curb and sidewalk shall be provided. Parking areas should be paved and there for to put in additional parking requires new construction to pave. The ordinance for this size structure would require nine space and that's what you are proposing but we also have to same problems we talked about earlier with the scrapple site that people would be backing out on to a road there isn't a parking lot where someone could turn around and back out it doesn't even show how the spacing will be but it is kind of apparent that you will be out or possible one of the spots will be parallel and three or four would be perpendicular to the road. The existing shed which is grandfathered in under the zoning ordinances a I think it is a garage and it's not sitting there. There is not signage shown which is proposed or what's there lighting hasn't been shown and then weather you are wanting to require landscaping and a buffer between the parking and residential are which is area behind the property along Palmer Street is residential. One of the concerns is where you live there and work there your residential parking was in the back Ramen normally have three or four people that work for him. It's not to minimum that would be cars. And your wife there that would be three there that would be three that would be tied up and that would be a minimum. So I'm sure that DelDot going to require some type of central entrance there in the back and now it will be used completely commercial and I agree Ramen would be a definite asset and we don't want to see him leave town but we do have regulation that have to be implemented because Raman for what ever reason could no longer be a florist and we may want someone that has a dress shop or what ever might be coming there. So we have to look at it as a commercial property and not the wonderful tent that would be there it could be any commercial activity that's permitted in the ordinance's DelDot is going to have to require a entrance off of Palmer street if they are going to allow and I'm sure there are going to require curbing. Palmer is town maintained so your requirement on route 16. It would be similar to the Remax. Yes the said that Remax would have access to Palmer Street and only Palmer Street. But you already have entrance off of route 16 for the jewelry shop, right?

"" Right.

"" Does anyone else have any comment, we have Bob's comments. The florist shop doesn't have much drive up business. You would be surprised. You work for them. Do they have a lot of walk in business? Not during the day maybe two or three people during the day. Basically we get a lot of calls. The may not be a lot of use for that particular business for parking. No like I said it's basically deliveries. What about deliveries, how do the flowers get to the shop, large deliveries? It's a small step van. It's as large as a UPS truck or small. About the size of a UPS truck it comes earlier in the morning drops off and is only there for maybe 20 minutes and leaves. But their right on union street. Right now we are. There is a lot more traffic there than where we want to go, and there is no trouble delivering flowers now I'm sure there wont be there.

""Is the square footage similar to what you have at Union Street?

""Yes, like I said we don't have that many people in the store except the people that work there, and most of the business is by phone.

""Does anyone else have any questions? Well right now there are currently five parking places, and they are planning on the additional parking places being in the rear. Have we measured them to make sure they are in conformances for the size that it needs to be, that the town requires. I can't tell. I mean is there enough space for five, or are they just putting them in there.

""No we park five cars there when we have company.

""The town requires a certain size for each parking spot. Each space is required and tested wide by 20 feet long if it's pulled directly in then its 22 feet long if it's parallel

parking. I just don't think, I think he has to come back with a more detail plan than the last one. I don't feel comfortable voting on this tonight. I don't even know if you've got legal parking where he want to put it. I don't disagree. Does anyone else have any comments?

Coffaro: I was just wondering can a business go in before all this is done?

"" The processes have to be completed first.

""You want him to come back with a more detailed plan, with the entrances and the back parking showing the curbing the dimension the lighting the signage. Again I don't think anyone has a problem trying to keep the florist in town. You're not expanding this building so we can certainly make some concessions there but at the same time there are some hardcore site age use and parking and in all fairness to all applications have to be with that. I think we can approve this but we need to defer the preliminary approval today. We want it to work. The landscaping for the orchards. 16 is a final I mean. I'm sorry to say I didn't realize that Thanks. We are approving the concept plan then sent back to him for some more details to come back for a preliminary.

"" Is there a second for that.

"" Second. All in favor? Aye. I think I grew some real questions but some of the stuff he has on here wont even live where he's got it planted. Is there any way to ever, well I goofed. Literally he needs to talk to someone that understands plants because these are the wrong plants by large. There under shade plants and he has them out in the open. He's a builder not a landscaper probably, and I'm not trying to be smart, won't you call the builders and talk to him. Maybe hell talk to you and, and so far he's been a very cooperative developer in town he's done some nice stuff. Right across the street the nicer looking town houses are the ones he's done. And he might welcome your input. We really don't have authority to impose that we can just suggest that aggressively, but again if he plans to do more in town I'm sure he'll try to accommodate you. Under the zoning ordinance 714 it states we can require certain trees. Does anyone have a motion to address, please? No we love it. Any body that didn't sign the sign-in sheet would you do so now.